



007037-000440.KAG/sjd.283600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Loren J. Field

Filed June 8, 2001

Serial No.: 09/878,011

MYOCARDIAL GRAFTS AND  
CELLULAR COMPOSITIONS USEFUL  
FOR SAME

) Before the Examiner  
) James S. Ketter  
)  
) Group Art Unit  
) 1636  
)  
)  
)  
)  
) May 24, 2004

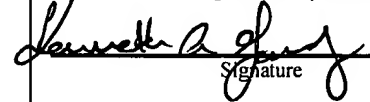
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313 on

May 24, 2004

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

  
Signature

May 24, 2004

Date of Signature

REQUEST FOR EXTENSION OF TIME

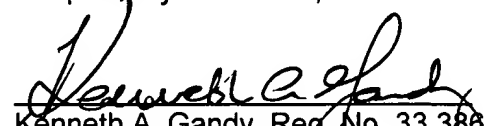
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of the nonprovisional application dated December 23, 2003, please provide a two (2) month extension of time up to and including May 24, 2004. Our check in the amount of \$420.00 is enclosed. Any additional necessary fees may be charged to or overpayment credited to Deposit Account No. 23-3030, but not to include payment of issue fees.

Respectfully Submitted,

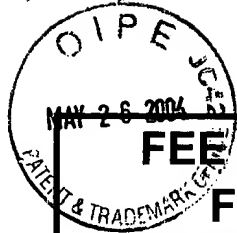
By:

  
Kenneth A. Gandy, Reg. No. 33,388  
Woodard, Emhardt, Moriarty,  
McNett & Henry LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456

05/27/2004 DENMANU1 00000046 09878011

01 FC:1252

420.00 OP

**FEE TRANSMITTAL  
FOR FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27Total Amount of Payment (\$)**420.00****Complete if Known**Application Number **09/878,011**Filing Date **June 8, 2001**First Named Inventor **Field, Loren J.**Group Art Unit **1636**Examiner Name **Ketter, James S.**Attorney Docket Number **7037-440****METHOD OF PAYMENT**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number **23-3030**Deposit Account Name **Woodard, Emhardt, Moriarty, McNett & Henry LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code    | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|-------------------|-----------------|----------------|-----------------|------------------------|----------|
| 1001              | 770             | 2001           | 385             | Utility Filing Fee     |          |
| 1002              | 340             | 2002           | 170             | Design Filing Fee      |          |
| 1003              | 530             | 2003           | 265             | Plant Filing Fee       |          |
| 1004              | 770             | 2004           | 385             | Reissue Filing Fee     |          |
| 1005              | 160             | 2005           | 80              | Provisional Filing Fee |          |
| SUBTOTAL (1) (\$) |                 |                |                 |                        |          |

**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee From Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| -20** =            |              | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description   |
|-----------------------|----------|-----------------------|----------|---|
| 1202                  | 18       | 2202                  | 9        | Claims in excess of 20                                    |
| 1201                  | 86       | 2201                  | 43       | Independent claims in excess of 3                         |
| 1203                  | 290      | 2203                  | 145      | Multiple dependent claim, if not paid                     |
| 1204                  | 86       | 2204                  | 43       | **Reissue independent claims over original patent         |
| 1205                  | 18       | 2205                  | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner's Action                   |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner's Action                      |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    | 420.00   |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Petitions related to provisional applications                              |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other Fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**420.00****SUBMITTED BY**

Name (Print/Type)

**Kenneth A. Gandy**Registration No.  
(Attorney/Agent)**33,386**

Telephone

**Complete (if applicable)****(317) 634-3456**

Signature

Date

**May 24, 2004**

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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